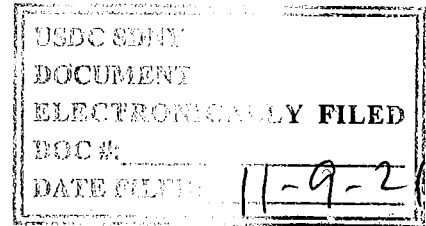


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MICHAEL MILLER, M.D.,
Plaintiff,

v.

CRYSTAL RUN HEALTH CARE, LLP, and its
related entities ("CRH"); CRYSTAL RUN
HEALTH CARE PHYSICIANS, LLP;
MONTEFIORE CONSOLIDATED
VENTURES, INC.; CRH BOARD OF
MANAGERS; HAL TEITELBAUM, M.D.,
individually and in his capacity as an officer of
CRH; ERIC BARBANEL, M.D., individually
and in his capacity as an officer of CRH;
RICHARD FUCHS, M.D., individually and in
his capacity as an officer of CRH; JOHN/JANE
DOE 1-9 (members of the CRH Board of
Managers whose names are not currently known
to Plaintiff); DOUGLAS SANSTED, ESQ.,
individually and in his capacity as Chief Legal
Officer of CHR; and MARY DE FREITAS,
individually and in her capacity as director of
CRH Human Resource Department,
Defendants.



ORDER

21 CV 8114 (VB)

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On November 8, 2021, defendants moved to dismiss the complaint. (Doc. #9).

Accordingly, it is hereby ORDERED that, by no later than November 18, 2021, plaintiff must notify the Court by letter whether he (i) intends to file an amended complaint in response to the motion to dismiss, or (ii) will rely on the complaint that is the subject of the motion to dismiss.

If plaintiff elects not to file an amended complaint, the motion will proceed in the regular course, and the Court is unlikely to grant plaintiff a further opportunity to amend to address the purported deficiencies made apparent by the fully briefed arguments in defendants' motion. See Loreley Fin. (Jersey) No. 3 Ltd. v. Wells Fargo Sec., LLC, 797 F.3d 160, 190 (2d Cir. 2015) (leaving "unaltered the grounds on which denial of leave to amend has long been held proper, such as undue delay, bad faith, dilatory motive, and futility"); accord F5 Cap. v. Pappas, 856 F.3d 61, 89-90 (2d Cir. 2017). The time to file opposing and reply papers shall be governed by the Federal Rules of Civil Procedure and the Local Civil Rules, unless otherwise ordered by the Court.

If plaintiff elects to file an amended complaint, he must file the amended complaint by no later than 14 days after notifying the Court of his intent to do so. Within 21 days of such amendment, defendants may either: (i) file an answer to the amended complaint; (ii) file a motion to dismiss the amended complaint; or (iii) notify the Court by letter that they are relying

on the initially filed motion to dismiss.

Dated: November 9, 2021
White Plains, NY

SO ORDERED:

A handwritten signature in black ink, appearing to read "Vincent Briccetti", written over a horizontal line.

Vincent L. Briccetti
United States District Judge